

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

MOSDOS CHOFETZ CHAIM INC., RABBI MAYER ZAKS, : Docket No. 7:21-cv-01597 (PMH)
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC.,
SIMA WEINTRAUB, derivatively on behalf of MOSDOS :
CHOFETZ CHAIM INC., DANIEL ROSENBLUM,
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC., :
JOSEPH GRUNWALD derivatively on behalf of MOSDOS
CHOFETZ CHAIM INC., and YISROEL HOCHMAN, :
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC., :
Plaintiffs, :
- against- :
MOSDOS CHOFETZ CHAIM INC., CHOFETZ CHAIM INC.,
TBG RADIN LLC, SHEM OLAM LLC., CONGREGATION :
RADIN DEVELOPMENT INC., ARYEH ZAKS, BEATRICE
WALDMAN ZAKS, HENOCH ZAKS, MENDEL ZAKS, :
GITTEL ZAKS LAYOSH, SAMUEL MARKOWITZ and
STERLING NATIONAL BANK, :
Defendants :
----- X

**STIPULATION ADJOURNING MOTION AND EXTENDING TIME
TO SUBMIT OPPOSITION TO JOINT MOTION TO DISMISS APPEAL**

WHEREAS, the deadline for Mayer Zaks Appellant herein, to submit his response to the Joint Motion to Dismiss (the "Joint Motion") the within appeal is March 15, 2021;

WHEREAS, the parties in interest to the appeal have agreed to an extension of time consistent with the terms set forth herein;

WHEREAS, nothing herein shall be considered an appearance or waiver of any right;

NOW THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:

1. The return date of the Joint Motion is, with the approval of the Court, adjourned to April 12, 2021.

2. The deadline for Appellant, Rabbi Mayer Zaks, to submit his response is April 2, 2021.
3. The deadline for Appellees to reply is extended until April 9, 2021.
4. The deadlines set forth in this Stipulation may be modified by further Order issued by the Court at the request of either party for good cause shown.

Dated: White Plains, NY
March 15, 2021

PENACHIO MALARA LLP

/s/Anne Penachio

By: Anne Penachio, Esq.
Counsel to the Appellant Mayer Zaks
245 Main Street - Suite 450
White Plains, NY 10601
(914) 946-2889
Cell: (914) 815-0688

Levine & Associates, P.C.

s/ Michael Levine

By: Michael Levine
Counsel to Appellee Mosdos Chofetz
Chiam, Inc.
15 Barclay Road
Scarsdale, NY 10583
Telephone (914) 600-4288
Fax (914) 725-4778
Cell (917) 855-6453

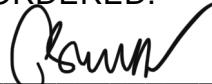
Goldberg Weprin Finkel Goldstein LLP

s/ Kevin J. Nash

By: Kevin J. Nash, Esq.
Counsel to Appellee Rabbi Aryeh Zaks
New York, NY 10036
(212) 221-5700

The Clerk is instructed to terminate ECF
No. 11.

SO ORDERED.



Philip M. Halpern, U.S.D.J.

Dated: White Plains, NY
March 16, 2021